IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 1453 of 2001

For Approval and Signature:

Hon'ble MR.JUSTICE A.R.DAVE

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any OJ

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5. Whether it is to be circulated to the Civil Judge? : NO
1 to 5 No

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GUJARAT STATE FERTILIZER & CHEMICAL LIMITED

Versus

C J MEHTA (NAVKAR)

Appearance:

MR SHIRISH JOSHI for Petitioner

MR MUKUL SINHA for Respondent No. 1

CORAM : MR.JUSTICE A.R.DAVE

Date of decision: 09/03/2001

ORAL JUDGEMENT

Heard learned advocate Shri Shirish Joshi for the petitioner and learned advocate Dr. Mukul Sinha, who appears on caveat, for the respondent.

Rule. Service of rule is waived by lerned advocate Dr. Sinha for the respondent. At the request of the learned advocates, the matter is finally heard and decided today.

In the course of the arguments, the learned advocates have agreed to the effect that ends of justice would be served if the Labour Court decides the following two issues :

1) Whether the respondent is a workman?

2) Whether the inquiry against the workman was legal and valid?

The learned advocates have assured this court that their clients shall not pray for time before the Labour Court and shall extend their co-operation to the Labour Court in getting the reference decided as soon as possible. On this assurance of the learned advocates, the Labour Court shall decide the above referred 2 issues as soon as possible and preferably with a period of 3 months from today.

Rule is made absolute with no order as to costs. Direct service permitted.

(A.R. Dave, J.)

(hn)